



US Army Corps
of Engineers
Portland District

PUBLIC NOTICE-AMENDED

for PERMIT APPLICATION

Issue Date: May 10, 2002

Amended: May 28, 2002

Expiration Date: June 10, 2002

Corps of Engineers Action ID: 2002-00214

Oregon Division of State Lands Number: 25295-RF

30 Day Notice

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

Comments: Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and should reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
ATTN: CENWP-OP-GP (Ms. Mary J. Headley)
P.O. Box 2946
Portland, Oregon 97208-2946

Applicant: Sylvia Bruce

Location: Barnes Creek, Section 30, Township 38 South, Range 14 East, in Klamath County, Bonanza, Oregon.

Project Description: The proposed work includes 1) Headcut stabilization: A step pool structure will be installed at each identified headcut using heavy equipment such as backhoe and excavator with a bucket thumb. A combination of rock, vegetation clumps and biodegradable geotextile fabric will be used to create a gradual "step-down" (10-12 inch drop each step) for stream energy to dissipate itself in an armored pool, 2) Bank stabilization: Approximately 800 feet of stream has banks that are too steep to support riparian vegetation and prevent continual erosion. These channel segments will be sloped back to a gentle angle and treated with a combination of vegetation clumps, small woody debris, planted willows and biodegradable geotextile fabric, and 3) Livestock control: A temporary fence will be installed to exclude cattle from the construction area. Proposed impact to waters of the United States will be approximately 0.2 acre, involving the discharge of approximately 860 cubic yards of gravel and soil.

Purpose: Stream channel degradation in the meadow is causing sedimentation. The intent of the project is to stabilize the eroding channel bottom to minimize loss of soil and improve meadow and stream habitat through grazing management changes and bioengineering techniques.

Drawings: 4 sheets identified as Sylvia Bruce, Erosion control, Bonanza, Oregon
COE # 2002-00214

Additional Information: Additional information may be obtained from Ms. Kitia Howard at (503) 808-4378 or Ms. Mary J. Headley, Project Manager, U.S. Army Corps of Engineers at (503) 808-4392.

Authority: This permit will be issued or denied under the following:

Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

Water Quality Certification: A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

Section 404(b)(1) Evaluation: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

Coastal Zone Management Act Certification: The proposed project area is not within the area regulated by the Coastal Zone Management Act.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Endangered Species: Preliminary determinations indicate that the proposed activity may affect an endangered or threatened species or its critical habitat. Consultation under Section 7 of the Endangered Species Act of 1973 (87 Stat. 844) will be initiated. A permit for the proposed activity will not be issued until the consultation process is completed.

Cultural Resources: The Corps is in the process of determining if the proposed undertaking might affect property registered or eligible for registration in the National Register of Historic Places. This notice has been provided to the State Historic Preservation Office and Native American Indian Tribes, requesting their comment..

Evaluation: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity, will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Additional Requirements: State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met, where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority, previously indicated, may be accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.

PUBLIC NOTICE

Oregon Department of Environmental Quality

Water Quality 401 Certification

Corps of Engineers Action ID Number: 2002-00214
Oregon Division of State Lands Number: 252295-RF

Notice Issued: May 10, 2002
Written Comments Due: June 10, 2002

WHO IS THE APPLICANT: Sylvia Bruce

LOCATION OF CERTIFICATION ACTIVITY: See attached U.S. Army Corps of Engineers public notice

WHAT IS PROPOSED: See attached U.S. Army Corps of Engineers public notice on the proposed project

NEED FOR CERTIFICATION: Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

DESCRIPTION OF DISCHARGES: See attached U.S. Army Corps of Engineers public notice on the proposed project

WHERE TO FIND DOCUMENTS: Documents and related material are available for examination and copying at Oregon Department of Environmental Quality, Water Quality Division, 811 S.W. 6th Avenue, Portland, Oregon 97204

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Alice Kavajecz at (503) 229-6962.

Any questions on the proposed certification may be addressed to the 401 Program Coordinator, (503) 229-5845 or toll free within Oregon at 1-800-452-4011. People with hearing impairments may call DEQ's TTY at (503) 229-6993.

PUBLIC PARTICIPATION:

Public hearing: DEQ will provide opportunity for a public hearing for interested people to appear and submit written or oral comments on the proposed permit if:

- . the submitted comments indicate significant public interest, or
- . written requests from 10 or more persons are received, or
- . an organization representing at least 10 persons requests a public hearing.

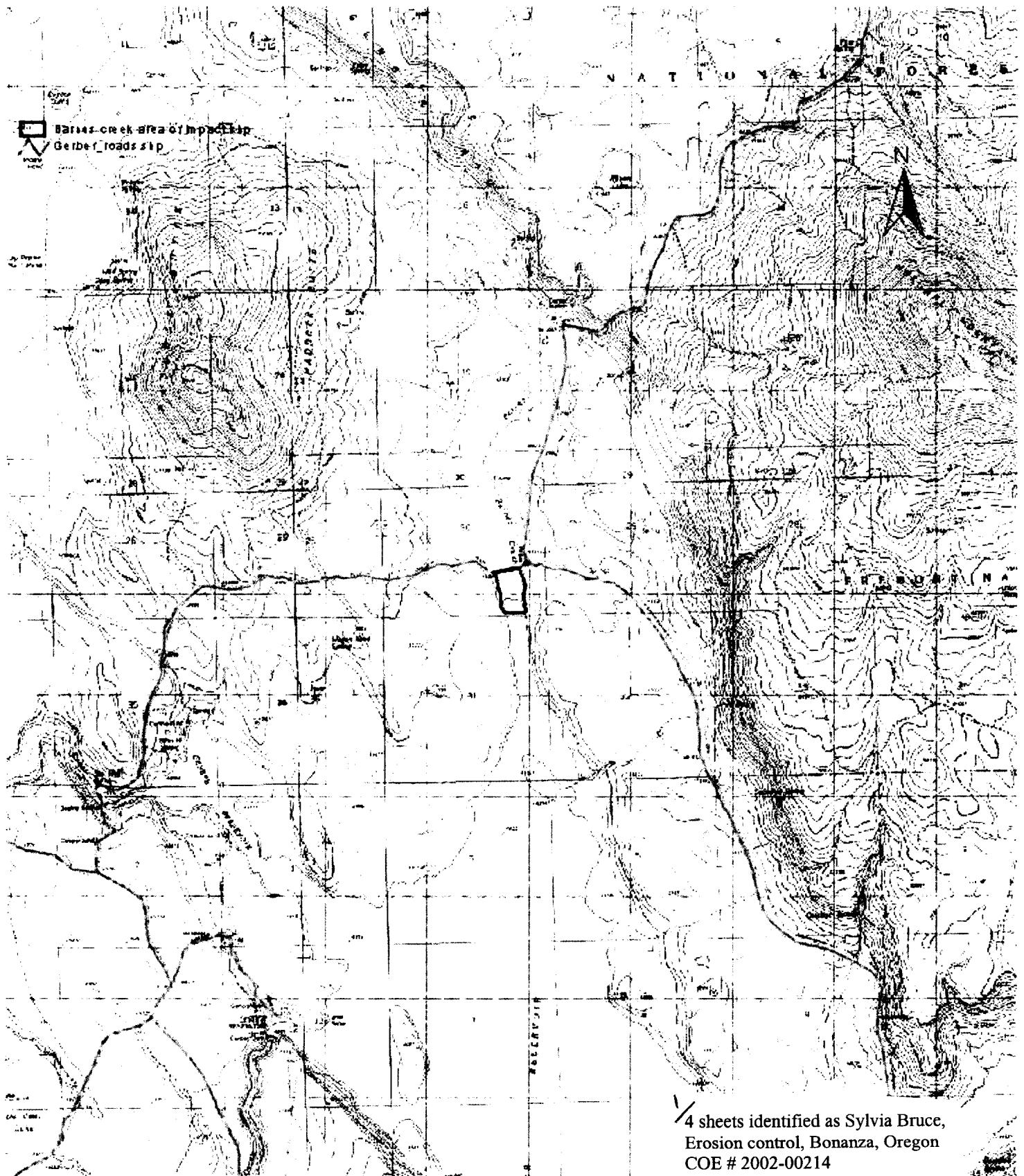
Written comments:

Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on (full date). Written comments should be mailed to Oregon Department of Environmental Quality, Attn: 401 Program Coordinator, 811 S.W. 6th Avenue, Portland, Oregon 97204. ***People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, e-mails may not be received prior to the close of the public comment period.*** People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format. Otherwise, due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

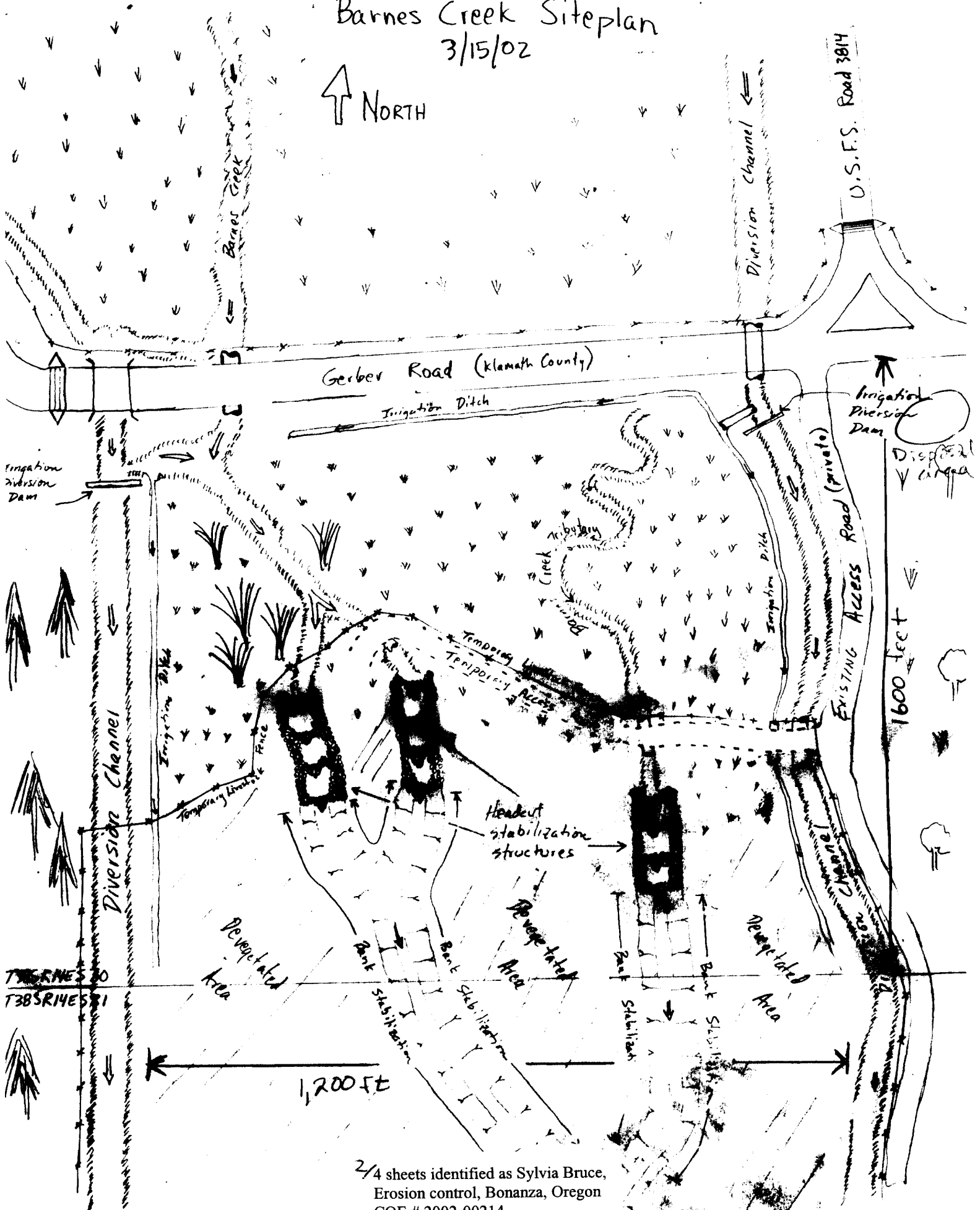
WHAT HAPPENS NEXT: DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise, if you wish to receive notification, please call or write DEQ at the above address.

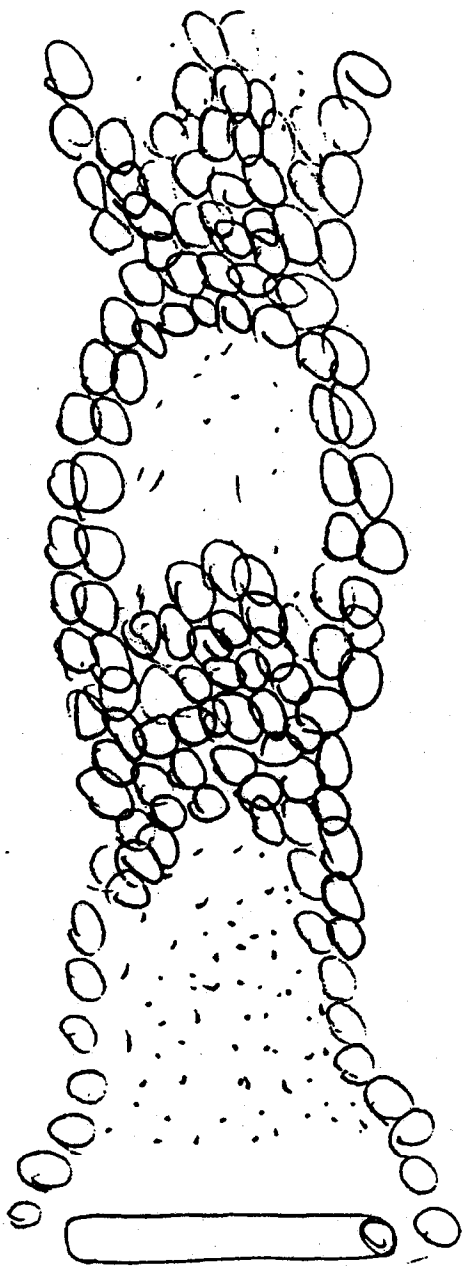
ACCESSIBILITY INFORMATION: This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Public Affairs at (503) 229-5766 or toll free within Oregon at 1-800-452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.

Barnes Creek—Project Area of Impact Location



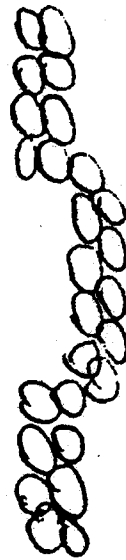
Barnes Creek Siteplan 3/15/02





9' 6" x 6' 6"

PLAN VIEW



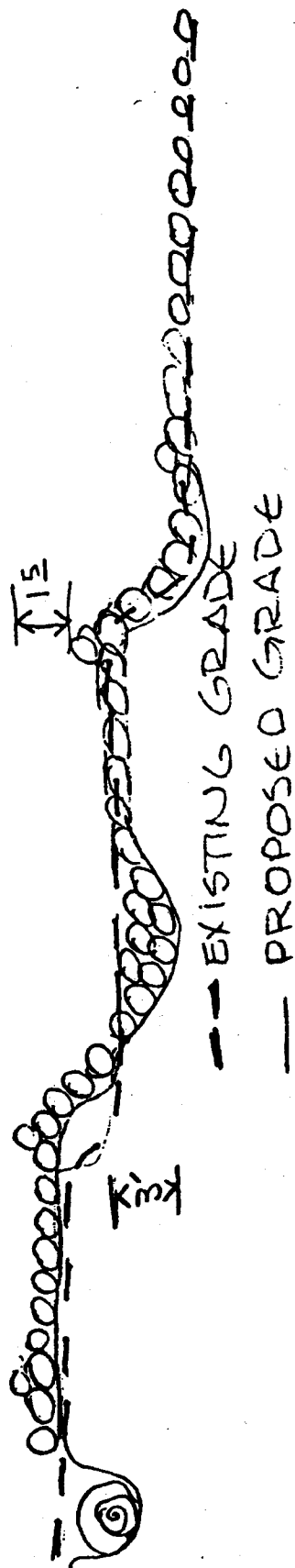
6' 6" x 9'

END VIEW

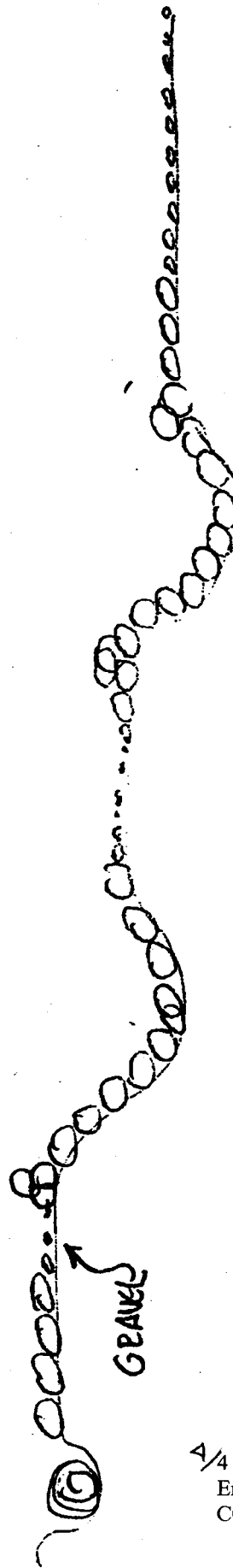
BARNES CREEK
2 of 2 SFM 8/00

HEADCUT STABILIZATION AT BARNES CREEK

20' — * — 20' —



X-SECTION



CENTER VIEW

1 OF 2
SEM 8/0